



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

June 20, 2023

NOTICE

TO: Dakota Bay c/o Michael Chicoine
32926 482nd Avenue
Jefferson SD 57038

Ann Mines Bailey, Assistant Attorney
General
1302 East Highway 14, Suite 1 Pierre
SD 57501-8501

John M. Hines, Attorney for McCook Lake
Recreation Area Association
Crary Huff Law Firm
PO Box 27
Sioux City IA 51102

FROM: Eric Gronlund, Chief Engineer
SD DANR, Water Rights Program

SUBJECT: Automatic Delay of Hearing on Water Permit Application No. 8744-3, Dakota Bay

A petition in opposition has been filed in the matter of Water Permit Application No. 8744-3 in response to the Notice of Application published in the Daily Press and Dakotan and the Leader-Courier on June 1, 2023. The published notice scheduled a hearing before the Water Management Board on July 12, 2023.

In response to the published notice, John M. Hines, legal counsel for the McCook Lake Recreation Area Association (MLA), filed a request for an automatic delay of the July 12, 2023 hearing date on behalf of MLA. The request for a delay was dated June 9, 2023, and received June 12, 2023, which meets the June 12, 2023 filing deadline. Pursuant to SDCL 46-2A-5 and the published notice, this constitutes written notice to the chief engineer requesting an automatic delay of the July 12, 2023 hearing date. Therefore, the hearing on Application No. 8744-3 is automatically delayed pursuant to SDCL 46-2A-5 and will NOT be held on July 12, 2023. Notice of the time and place of a rescheduled hearing on Water Permit Application No. 8744-3 will be provided later in a Notice of Hearing.

Notices, orders, and other pleadings filed in the matter of Water Permit Application No. 8744-3 are posted on DANR's contested case page at <https://danr.sd.gov/public/ContestedCase.aspx>.

Questions regarding the hearing process may be directed to Ron Duvall, Water Rights Program at (605) 773-3352 or ron.duvall@state.sd.us.

CERTIFICATION

The undersigned hereby certifies under the penalty of perjury that a true and correct copy of a Notice dated June 20, 2023, regarding an automatic delay of the hearing concerning Water Permit Application No. 8744-3 – Dakota Bay, was served upon the following by enclosing the same in envelopes with first class postage prepaid and affixed thereto, and depositing said envelopes in the United States mail on June 20, 2023.


Dakota Bay c/o Michael Chicoine
32926 482nd Avenue
Jefferson SD 57038

Petitioner's legal counsel as follows:

John M. Hines, Attorney
Crary Huff Law Firm
PO Box 27
Sioux City IA 51102

Above also Sent Inter-office to:

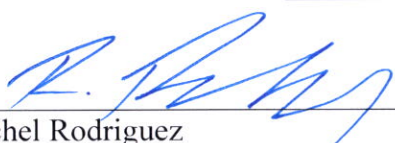
Ann Mines Bailey, Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre SD 57501-8501



Vickie Maberry
Water Rights Program, DANR

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 20 day of June, 2023.



Rachel Rodriguez
Notary Public
My Commission expires May 16, 2029

